

App. No. 10/648,581
Attorney Docket 3158.2.2 NP

Amendments to the Drawings

None

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Remarks

Applicant thanks the Examiner for the Written Office Action.

With regards the substantive portion of the Written Office Action, the Office Action states that the present application contains claims directed to two patentably distinct species of the claimed invention, namely Figures 1 – 5 and Figure 6. The Office Action requires Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable.

Applicant elects, with traverse, Figures 1 – 5. The following claims are listed as readable thereon: Claims 1 – 6, 8 – 21, and 23 – 37 (all presented claims minus 7 and 22).

Applicant presents the following arguments explaining why Figures 1 – 6 are a single species. As disclosed in lines 11 – 15 of page 8 of the present application, Figure 6 discloses a “tapered enclosure 36 having side walls 38 that taper inwardly in both frontal and lateral directions from a top 40 of the enclosure to a bottom 42 of the enclosure. In this aspect, a plurality of storage tubes 44 can [be] disposed in the tapered enclosure” Enclosing the invention is not sufficiently different to trigger a patently distinct species of the invention as required in MPEP 806.04.

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For these reasons, it is believed that Applicant has addressed each of the issues pointed out by the Examiner in the Office Action. Should the Examiner wish to discuss any matter pertaining to the present application, Applicant invites the Examiner to do so by telephone conference.

Respectfully Submitted,



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